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VIA ECF

May 9, 2025

The Honorable Claire C. Cecchi, U.S.D.J.
United States District Court
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, New Jersey 07101

Re: *Merck Sharp & Dohme LLC, et al. v. Sun Pharmaceutical Industries Ltd., et al.*
Civil Action No. 25-1424 (CCC)(LDW)

Dear Judge Cecchi:

This firm, together with Sidley Austin LLP, represents Plaintiffs Merck Sharp & Dohme LLC, Cubist Pharmaceuticals LLC, and MSD International Business GmbH (collectively, "Plaintiffs") in the above-captioned matter.

We are pleased to inform the Court that the parties have reached an amicable resolution of this matter. Accordingly, enclosed for Your Honor's consideration is a Consent Judgment, which, subject to the Court's approval, would dismiss this case. If the enclosed Consent Judgment meets with the Court's approval, we respectfully request that Your Honor sign it and have it entered on the docket.

Thank you for Your Honor's kind attention to this matter.

Respectfully yours,


William C. Baton

Enclosure

cc: Hon. Leda D. Wettre, U.S.M.J. (via ECF)
All counsel (via email)

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Attorneys for Plaintiffs
Merck Sharp & Dohme LLC, Cubist Pharmaceuticals LLC,
and MSD International Business GmbH

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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MERCK SHARP & DOHME LLC,	:	
CUBIST PHARMACEUTICALS LLC, and	:	
MSD INTERNATIONAL BUSINESS GMBH,	:	
	:	Civil Action No. 25-1424 (CCC)(LDW)
Plaintiffs,	:	
	:	Filed Electronically
v.	:	
	:	
SUN PHARMACEUTICAL INDUSTRIES LTD.	:	
and SUN PHARMACEUTICAL INDUSTRIES,	:	
INC.,	:	
Defendants.	:	
-----X	:	

CONSENT JUDGMENT

Merck Sharp & Dohme LLC, Cubist Pharmaceuticals LLC, and MSD International Business GmbH (collectively hereinafter, “Merck”), and Sun Pharmaceutical Industries Ltd. and Sun Pharmaceutical Industries, Inc. (collectively hereinafter, “Sun”), the parties in the above-captioned action, by their respective undersigned attorneys, hereby stipulate and consent to entry of judgment and an injunction in the action, as follows:

IT IS this ____ day of May, 2025:

ORDERED, ADJUDGED, AND DECREED as follows:

1. This District Court has jurisdiction over the subject matter of the above action and has personal jurisdiction over the parties.
2. As used in this Consent Judgment, (i) the term “Sun Product” shall mean the drug product sold, offered for sale or distributed pursuant to Abbreviated New Drug Application No. 220102 (the “Sun ANDA”); (ii) the term “Licensed Patents” shall mean United States Patent Number 7,906,489; United States Patent Number 7,378,508; United States Patent Number 7,863,249; and United States Patent Number 8,859,510; and (iii) the term “Affiliate” shall mean any entity or person that, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with Sun; for purposes of this definition, “control” means (a) ownership, directly or through one or more intermediaries, of (1) more than fifty percent (50%) of the shares of stock entitled to vote for the election of directors, in the case of a corporation, or (2) more than fifty percent (50%) of the equity interests in the case of any other type of legal entity or status as a general partner in any partnership, or (b) any other arrangement whereby an entity or person has the right to elect a majority of the Board of Directors or equivalent governing body of a corporation or other entity or the right to direct the management and policies of a corporation or other entity.
3. Unless otherwise specifically authorized by Merck, Sun, including any of its Affiliates, successors and assigns, is enjoined from infringing the Licensed Patents, on its own part or through any Affiliate, by making, having made, using, selling, offering to sell, importing, or distributing of the Sun Product.
4. Compliance with this Consent Judgment may be enforced by Merck and its successors in interest or assigns.

5. This District Court retains jurisdiction to enforce or supervise performance under this Consent Judgment.

6. All claims and demands in this action are hereby dismissed with prejudice and without costs, disbursements, or attorneys' fees to any party.

Hon. Claire C. Cecchi, U.S.D.J.

We hereby consent to the form and entry of this Order:

Dated: May 9, 2025

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